
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

versus

DAVID ALAN VOGEL (1)
JONATHAN VOGEL (3)

§
§
§
§
§
§
§

CRIMINAL ACTION NO. 4:08cr224

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 21, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that David Alan Vogel's Motions to Strike Surplusage (Dkt. #224 and #239) and Jonathan Vogel's Motion to Strike Surplusage (Dkt. #237) should be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. It is accordingly

ORDERED that David Alan Vogel's Motions to Strike Surplusage (Dkt. #224 and #239) and Jonathan Vogel's Motion to Strike Surplusage (Dkt. #237) are **DENIED**.

SIGNED at Beaumont, Texas, this 11th day of June, 2010.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE